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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/603,913 Confirmation No.: 4355
Applicant(s): Hashizume et al.
Filed: 06/24/2003
Art Unit: 3726
Examiner: Chang, Rick K.
Title: A Process for Manufacturing a Cover

Attorney Docket No.: 852.0029.U1 (US)
Customer No.: 29,683

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction

Sir:

This is in response to the Office Action mailed 03/24/2009 in regard to the above-identified patent application. Applicants elect Species 1 with traverse. Claims 1-4, 19, 20, and 33-35 read on the elected species.

Applicants submit that the restriction requirement is improper as all the criteria required by the MPEP have not been satisfied. MPEP §803 states that there are two criteria for a proper requirement for restriction between patentably distinct inventions:

(A) The inventions must be independent or distinct as claimed;
and

(B) There would be a serious burden on the examiner if restriction is not required.

Appl. No.: 10/603,913
Reply to Office Action of: 03/24/2009

However, at least one search has already been done on claims 1-20 and 33-35 (for example see the Office Actions of 03/26/2007, 08/10/2007, and 01/10/2008). Further searching should not be overly burdensome on the examiner.

In this case, there is no serious search burden. Any classifications of the invention would be related to each other since all of the claims are directed to an electronic device cover member having integrally formed electrical circuitry and an electrical connector structure. Merely because the forming methods (which are connected in at least one of design, operation, and/or effect) may vary, does not justify a serious search burden on the examiner for searching claims 1-20 and 33-35 in the same application. Thus, since the examiner is examining claims related to integrally forming the electrical circuitry, connector structure, and cover member, it does not appear that the Species 2/3 claims (also relating to integrally forming the electrical circuitry, connector structure, and cover member) should be separated out into separate patent applications.

Additionally, the examiner states that "[t]he species are independent or distinct".

MPEP §802.01 states that the term "independent" (i.e. unrelated) means that there is no disclosed relationship between the two or more inventions claimed, that is, they are unconnected in design, operation, and effect. Inventions are "distinct" as explained in MPEP §802.01 when the inventions as claimed are not connected in at least one of design, operation, or effect. MPEP §806.04(b) and 806.06 similarly

Appl. No.: 10/603,913
Reply to Office Action of: 03/24/2009

describe independent inventions as those that are not connected in design, operation, and/or effect.

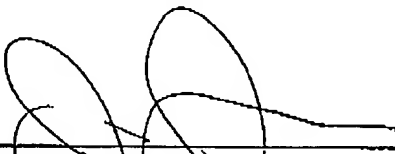
Here, the species identified by the examiner are related. All of the claims are drawn to a method of manufacturing an electronic device cover member having an electrical connector structure (including claims 5-18 which depend from independent claim 1). Additionally, applicants submit that all of the claims are connected in at least one of design, operation, and/or effect as all of the independent claims (1 and 33) recite that the electrical circuitry, connector structure, and cover member are integrally formed.

In view of the foregoing, the examiner is requested to reconsider the restriction in this case.

Favorable consideration and allowance is respectfully requested. If there are any additional charges with respect to this response or otherwise, please charge deposit account 50-1924 for any fee deficiency. Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

Appl. No.: 10/603,913
Reply to Office Action of: 03/24/2009

Respectfully submitted,



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4/24/2009
Date

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

4/24/2009
Date

Clair F. Main
Name of Person Making Deposit